

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, November 10, 2010, at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

Present:	Councilmember Adrean, Chair	Joya C. De Foor, CFO
	Councilmember Felicia A. Moore	Departmental Staff
	Councilmember C.T. Martin	
	Councilmember Alex Wan	
	Councilmember Howard Shook	
	Councilmember Aaron Watson	
	Councilmember H. Lamar Willis	

Chairperson Adrean called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, C. T. Martin, Alex Wan, Howard Shook, Aaron Watson and H. Lamar Willis. Other Departmental staff was present as well.

The Agenda was adopted as printed with one walk in for a Grant for Solar Energy. The minutes of the Finance/Executive Committee of October 27, 2010 were adopted as well.

DISCUSSION ITEMS

1. 1st Quarter Financial Report, Joya C. De Foor, CFO

CFO De Foor stated that this is the first phase of the financial reporting. The Departments except for one was very responsive. At the bottom of the page is the status of initiatives. There is more detailed reporting of the Enterprise Funds. This is our first step. The next report will be a more detailed analysis. She also wanted to commend the Department of Fire/Rescue for the most detailed summary.

Ms. Carol King: Chief of Budget and Fiscal Policy addressed the Committee by stating that on page #3 is the Executive Summary. General Fund revenues show that the City is on target to collect \$549 million dollars, which is the anticipated amount. The difference is the \$9.9 million dollars to balance the budget. As of September 30th we are below the budget by 36% due to property tax collections. Chairperson Adrean asked if we were under a Temporary Collection Order for 2011. Ms. King responded not for DeKalb, but it is for Fulton.

Mr. Peter Andrews: Senior Assistant City Attorney addressed the Committee by stating that we had to do another Temporary Collection Order because of appeals. Ms. King stated that page #4 is a table that divides the revenues. Overall collection is \$13.97% of all anticipations. Councilmember Wan asked about the charges for services. CFO De Foor responded that we would provide the details. Councilmember Wan asked about the category it represents. Ms. King responded that we will also provide that information. Councilmember Watson asked to be taken through the lines on page #4. He is not following the variance percentages. The budget for September is \$53 million dollars and actuals is \$16 million dollars and a variance of 8.3%. Ms. King responded that it is the amount collected to date. Councilmember Watson asked what is it? Ms. King responded that it is anticipation and actual of FY 2011. CFO De Foor added that we will take a look at the heading to make sure it is clear and put a glossary in the back. Councilmember Watson stated that he should not be distressed about the numbers because it is a timing issue. Chairperson Adrean stated that in FY 2009 when the property bills went out late, we had collected \$6.2 million dollars as of September and this year they were not late and we are behind. It makes no sense to her. CFO De Foor responded that she would follow up on it. We did a straight line budget. Ms. King responded that for the Office of Revenue, Mr. Donaldson does not do a straight line budget. CFO De Foor responded that we are trimming in alcohol taxes, etc. Councilmember Watson asked if we have focused on the \$16.6 million dollars and \$13.3 million dollars from 2009. He wants to go through each one of them. CFO De Foor responded that we could go on and when Mr. Donaldson arrives we could come back. Ms. King stated that page #5 is an overview of General Fund expenses. We seem

to be overbudgeted for Public Works and the General Fund is 7% underbudgeted. Councilmember Moore asked what is attributed to the Restricted Reserve. Ms. King responded that it is shown as a surplus of \$27 million dollars. Councilmember Moore stated that the \$27 million dollars is the minimum or baseline figure that the Code and Charter requires. When it is coupled with what is required. When it is taken out, what is it? She wants to understand more about the Reserves. She is hearing the Mayor say we have over \$40 million dollars.

Mr. Peter Aman: Mayor's Office Chief Operating Officer addressed the Committee by stating that what the Mayor is speaking to is the projected year end balances. The hard Reserves are the \$27 million dollars we budget each year. The balance in the bank account is \$58 million dollars coming into the year. We budgeted \$27 million dollars to the \$58 million dollars roughly. Chairperson Adrean stated that the \$58 million dollars is the \$27 million dollars plus \$7 million dollars plus the unexpended amount from 2010. Mr. Aman responded it goes from \$7 million dollars to \$58 million dollars. In 2010 at the end we had a balance of \$58 million dollars in Reserves. Councilmember Moore stated that we spent money. Mr. Aman responded that the \$58 million dollars is in addition to the \$9.9 million dollars. All of the \$58 million dollars is in the Reserves. Councilmember Moore stated that it is not in the report. Mr. Aman responded that this is not in the balance sheet. Councilmember Moore stated that she needs to understand the difference in the numbers. Chairperson Adrean asked about paragraph one, we being underbudgeted. Every Department personnel line has not been expended. There are a lot of vacancies that we approved to fill them. She feels like unless they are filled, we are not underbudget because we have not done the hiring. CFO De Foor responded that this report tells us where we are today. There are unfilled positions. She recommends the Departments report on them. You may want to change what is allocated to a Department. Chairperson Adrean asked if it is the intent to fill the staffing needs. Mr. Aman responded that we want to provide the services we budget for. He is trying to be cautious the first three months of the fiscal year. By the end of December we will have no vacancies in the Police Department. CFO De Foor added that she is asking managers for a cost benefit in her Department. Councilmember Martin asked about Fire Department equipment because it is an emergency. Mr. Aman responded that we had three fire engines in the budget for the Fire Department. We asked the Chief about additional critical needs. We will probably come forward in 2012 budget for Fire Department needs. These are fifteen year old fire trucks. There is about \$8 million dollars in Bond Funds and Fire trucks are on the top of the list. Councilmember Martin asked if this is urgent? Will there be a set of equipment that Fulton and Atlanta could pull from such as joint agreements? Mr. Aman responded that he would work with the Chief on it. We need a pool of funds and he would look into it. Councilmember Moore asked about the summary page of the enterprise funds. Ms. King responded that enterprise funds operate on a full accrual basis. Aviation Revenue funds has collected \$106 million dollars year to date. It includes building and ground work. The Civic Center is below anticipations due to a decrease in scheduled events and has an impact of \$130,000. Councilmember Wan asked about Aviation on page #30. We are projecting \$11 million dollars above budget and \$86 million dollars below expenses. Of the \$100 million dollar, \$46 million dollars is in Reserves. Mr. Aman responded that it was due to the Bond Issuance. CFO De Foor added that there was some elimination of filled positions. There was a parking rate increase. Mr. Aman stated that there were moves to get the expenses down. A Reserve account is coming from the Bonds. Councilmember Martin stated that we agreed when we did the refinancing that there would be no more layoffs. Mr. Aman responded that we will reduce head count over time at the Airport. Planning Design is the main area because the terminal is finished. There are no other operations that come to mind. Ms. King responded that the Cyclorama will collect \$99,000 below budget, which is 20%. We asked the Department and they applied for a Grant for \$400,000. Councilmember Moore asked about page #5, negative position and a plan that is outstanding. Ms. King responded that they would come up with a plan to reduce expenses. Councilmember Martin asked if any alternatives will be in staff, etc. Ms. King responded that they will decide. Solid Waste is on page #3, revenues and expenditures will meet the adopted budget of \$26 million dollars. Chairperson Adrean asked if we can collect yard waste, and trimming weekly is good news. Councilmember Martin asked about Worker's

Compensation. Ms. King responded that it is incorrectly being charged. The expenses have to be charged where they should be. CFO De Foor responded that there has to be other discussions regarding that. Councilmember Martin asked about #3.

Ms. Rita Braswell: of the Department of Public Works addressed the Committee by stating that supplies is for trash receptacles and there has been a delay and we have a backlog. The vendor cannot keep up with the request. As they deliver, the supply line will be normal for the rest of the year. Councilmember Martin asked about #6. Ms. Braswell responded that we will check on it and get back with him. Councilmember Martin stated that on the summary page you should put page #33 as a reference page. Ms. King responded that Watershed Management's shortfall was \$7.3 million dollars. \$45 million dollars will be transferred to the Renewal/Extension fund. Councilmember Moore asked how are we dealing with the revenue shortfall? Ms. King responded that there is a surplus of \$48.9 million dollars. It is from vacant positions and cost control measures.

Mr. Jim Beard: CFO of the Department of Watershed Management addressed the Committee by stating that we are looking at numerous cost control measures. The large surplus is in addition to capital projects that have not come online yet. We are cautiously filling positions. There should not be a need to dip into the Reserves. Councilmember Moore asked if the \$7.3 attributable to the fields. She then asked if the number could become greater are we are through with it. Mr. Beard responded hopefully we are through with it. Councilmember Martin asked about the replacement of the old water pipes. Mr. Beard responded that it is in Engineering and Distribution. Councilmember Martin asked when will it happen? Are you doing it at the expense of safety or are we excelling with the pipe replacement program? The sooner it is done, the safer it will be. What is the cost savings on it? Mr. Beard responded \$8 and \$10 million dollars. The pipe replacement will be done by outside contractors. We are moving forward with filling vacancies now. Councilmember Martin asked about the broken meters. Mr. Beard responded that it is done internally. Those projects are handled in-house. Councilmember Martin stated that he saw an open meter where kids walk. He is concerned with all of the vacant positions. Mr. Beard responded that we are addressing the issues immediately.

Mr. Dexter White: Interim Commissioner of the Department of Watershed Management addressed the Committee by stating that a lot of those positions are upper management. We have an excellent replacement program to replace the meter boxes. It is being handled by an outside contractor. We do not want to be too top heavy. Chairperson Adrean asked how long will it take. Can you send out a notice to the citizens? Interim Commissioner White responded about six months, but the program will take about one year. Councilmember Martin stated that is costing us money with water running. Interim Commissioner White responded that we hope that broken meter boxes are reported. Councilmember Martin stated that it appears you should not have as many problems. Interim Commissioner White responded that we are getting the jobs reclassified for field staff. Councilmember Martin stated that our citizens see the water running down the street. Interim Commissioner White stated that we have a goal for water loss by 50%. Councilmember Wan asked about the \$110 million dollars. \$65 million dollars will remain and \$45 million dollars will be transferred to the Renewal and Extension Fund. Mr. Beard responded that \$110 million dollars goes into the bucket and part of it goes into Renewal/Extension. Councilmember Wan asked if \$110 million dollars goes into expenditures. Mr. Beard responded that the Revenue can be used for certain items and Renewal for another set of items. Councilmember Wan wants to understand the \$41 million dollars variance for the year. Mr. Beard responded that in the future we expect higher expenditures as capital projects come up. In six months we expect it to be lower. We are taking in more than we are spending out. Ms. King stated that page #6 is a list of other funds, E-911 and Fleet Services. E-911 is on page #36 and it is operating at a loss. Police do not support the operations of this fund. Councilmember Willis asked if we are capturing the false alarms costs. Mr. Aman responded that we are making progress. We have false alarm policies for fire and burglar alarms. We will come back after Recess with tweaks. Councilmember Willis asked if the numbers are meeting the budget. Mr. Aman responded that it is tracked in

ATL Stats. Councilmember Wan asked about page #36, going from \$6 million dollars to \$24 million dollars. Will there be significant slow-downs? Ms. King responded there are one-time items that are paid up front. Expenditures are from DIT.

Mr. Dan Smith: Chief of the Department of Information Technology addressed the Committee by stating that from 2009 to 2010 there is a 50% increase. He will provide the information for the spike. We are involved with the multi printer contract. He is not aware of any additional contracts. Councilmember Martin asked about the Internal Service Fund. In the past there was some information about the entry of excess money not used in the Insurance Account. Has it changed? Ms. King responded that we only listed fleet because of operations. We did not include insurance. Councilmember Willis asked if we are able to track the efficiency of 911. Do we get a lot of 911 non emergency calls? Does it make sense to go to 311? Mr. Aman responded that we are working on that. We are answering 90% of the calls in 10 seconds. We get too many non emergency calls. It continues to be a struggle. DeKalb County spent \$13 million dollars on a 311 Call Center and had to shut it down. Councilmember Martin asked if we can put a fee on the 311 calls. Mr. Aman responded that other Municipalities fees are not sufficient to cover the costs. He has not anticipated a cost on 311. Councilmember Moore stated that in concept it sounds good. From her community it is not a single number to call the City. They want an alternate number. We need to focus on having a 911 operator get the caller to the appropriate person. Has the transfer taken place of \$4.1 million dollars in the Non-Departmental fund and is it enough?

Mr. Gary Donaldson: Director of the Office of Revenue addressed the Committee by stating that the fund is operating at a deficit. Councilmember Moore asked has the transfer taken place. Mr. Donaldson responded, no. It is an accounting general entry that we control. We do it as a year end transaction. We budgeted \$4.1 million dollars, but if it is not enough we will transfer more. CFO De Foor responded that she would work with staff. Chairperson Adrean asked if it is efficient to read the report thoroughly and e-mail you the questions. Councilmember Moore asked if she could get the answers to the following questions: 1) Page #10, what does items #3 and #5 mean as well as item #2 under status initiatives, 2) page #14, Under the Department of Corrections, what are the comparisons. Are the FY 2011 numbers the same as what was adopted? Ms. King responded that it is for all funds for the Department of Corrections, 3) page #23, under Recreational Centers, how many are outstanding and how many are opened, how many of the things that were not asked for in the budget and how many will be left? 4) on page #24, what does highlight #1 mean. 5) on page #25, item #3, what is the projection of 100? 6) Public Works, grass cutting, what 3 positions remains to be filled. 7) page #28, under Non Departmental, what is unfavorable because we made projections. She wants more details of what is going on, #4 is additional equipment, what equipment? She wants more information on #9, where it speaks to additional storm water. She stated that she likes the format and the initiatives. There were other initiatives that are not in here that need to be included. Ms. King responded that they are included. Chairperson Adrean stated that she likes the format. What do you think the risk factors are? CFO De Foor responded that in the first three months Commissioners are giving thought to their business processes and the market improving. There are some bad habits to break. There are some that have gotten their way. At the back of the report the Analysts are listed for each Department. The report was a draft and the final will have the questions and answers. Chairperson Adrean asked what are you looking at? CFO De Foor responded that she is concerned about focusing on the revenue. In the past there was concern with the expense side. We will be asking for revenue initiatives. Some of them have the best ideas. She is looking at our Code. Some are pretty limited. There are certain rules where we can't do things. Councilmember Martin asked about Accounts running deficits. CFO De Foor responded that we have not done that yet. We are looking at paying off the capital funds. We are developing standard fiscal policies. It should be ready over the next few months. We will look at the cash pool. She has concerns with how it has been utilized. Councilmember Martin asked about the formula that is being used. CFO De Foor responded that she would look into it.

2. Airport Bond Sales, Joya C. De Foor, CFO

CFO De Foor stated that we had successful financing with the Bonds. One thing to do was not to push the debt off. We achieved leveled Debt Service. The Bonds are sold to individuals and people representing individuals, the State of Georgia, other States that touch Georgia and then national retail. We expect \$600 million dollars and 10% to 15% in retail. We had 5 times the amount of orders than Bonds. We have some participation from minority and women above 30%. This was the most successful deal in the Airport's history with 4.18%. The Feasibility Study showed 6%, but we were hoping for 5.5% and received 4.18%. She then passed out an article from the Bond Buyers. It was a wonderful team effort. The legal team was there. We were told that they have never seen so much robust presentation from any deal. Councilmember Watson asked what does the savings in interest rates mean. CFO De Foor responded that our Debt Service will be lower and millions of dollars of savings to the City. This Bond Issue was to complete the Terminal. The most difficult part has been done. It says that we are being fiscally conservative.

3. Unused Trust Fund Balances Report, Joya C. De Foor, CFO

CFO De Foor stated that we are in the first phase and completed it. We attempted to identify balances. We have turned to the Law Department for our findings. Some of the names of the Trust Funds will be replaced with General Fund dollars. We will clean up legislature on what it can be used for. For example, the \$8.5 million dollars for Car Rental, if we can redirect the funds it gives more of an opportunity. This is something that has not been used in two years. Chairperson Adrean stated that the District 8 Sidewalk money was completed in 2010 for the one mile Margaret Mitchell sidewalk. Ms. Braswell responded that she will find out. Chairperson Adrean stated that if there is sidewalk money for District 8 we will use it. Councilmember Moore asked if she could explain the list. CFO De Foor responded that the overview is that several City Councilmembers mentioned that the money is unused. There are about 70 Trust Funds. For example three were named the same thing. The Car Rental Tax was a payment received several years ago. The Inmate Deposits has very little commitment. It was in Corrections and it was subcontracted. Special Events had no activity. We are looking to find legislation that supported the funds. Councilmember Moore stated that the Victim and Witness Program still exist. CFO De Foor responded that she would report back on all of them. There may be some limitations. Mr. Aman responded that the CFO's recommendation is when the Law Department verifies it, it is to propose the additional \$5.6 million dollars for the Street Car Project. CFO De Foor stated that if the money is sitting there we should fill the gap. Councilmember Moore asked if we will get the full report and determine the uses. CFO De Foor responded yes. Phase Two is a little more difficult. Chairperson Adrean stated that the sidewalk money goes toward sidewalks if there is a subdivision built, the contractor pays a waiver fee for sidewalks. It is not available for General Fund use. Chairperson Adrean stated that we have Developer Impact Fees, etc. It would be great to have the accountability. CFO De Foor responded that the Law Department will study it before there is any action. Mr. Aman added that Law is working on it now because the Street Car Project has to be handled before the end of the year. Councilmember Moore asked for a comprehensive response to other things it can be used for.

CONSENT AGENDA

TO CORRECT ORDINANCE NUMBER 10-O-0743

10-O-1965 (1)	An Ordinance by Finance/Executive Committee to correct Ordinance Number 10-O-0743, adopted by the Atlanta City Council on May 17, 2010, and approved by the Mayor on May 25, 2010; and for other purposes.
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FAVORABLE ON FIRST READ

TO AMEND THE 2011 (INTERGOVERNMENTAL GRANT FUND) BUDGET

- 10-O-1966 (2) An Ordinance by Finance/Executive Committee amending the 2011 (Intergovernmental Grant Fund) Budget, Department of Executive Offices by adding to Anticipations and Appropriations in the amount of \$4,000.00 for a donation from Southface Energy Institute, to support the operations of the Department of Executive Offices, Division of Sustainability; and for other purposes.

FAVORABLE ON FIRST READ

TO WAIVE THE REQUIREMENTS OF THE CITY CODE SECTION 2-154(1) OF THE PROCUREMENT AND REAL ESTATE CODE

- 10-O-1967 (3) An Ordinance by Finance/Executive Committee authorizing the Mayor or his Designee, on behalf of the City of Atlanta to waive the requirements of the City Code Section 2-154(1) of the Procurement and Real Estate Code, to accept the donation from Atlanta Beltline, Inc. of approximately 0.84 acres located around D.H. Stanton Park on Grant Way being Tax Parcel Identification Numbers 14-0055-0009-055-0, 14-0055-0009-056-8, 14-0055-0009-057-6, being more particularly described in Exhibit "A" attached hereto ("the Grant Way Properties"); the value of said donation which is one hundred forty five thousand dollars (\$145,000.00) will be credited toward the Atlanta Beltline Inc.'s ("ABI'S") obligations under City Ordinance 09-O-2055; said Ordinance authorized the Mayor on behalf of the City to accept reimbursement for the cost of property located at 1000 North West Lois Street which was previously transferred to Atlanta Beltline, Inc.; and for other purposes.

FAVORABLE ON FIRST READ

TO CREATE THE 2010A AIRPORT REVENUE BOND FUND

- 10-O-1993 (4) An Ordinance by Finance/Executive Committee to create the 2010A Airport Revenue Bond Fund and the 2010B Passenger Facility Charge and Subordinate Lien General Revenue Bond Proceeds in the amount of \$190,140,000.00 for the Airport General Revenue Bonds, Series 2010A and \$449,440,000.00 for the Airport Passenger Facility Charge and Subordinate Lien General Revenue Bonds; and for other purposes.

FAVORABLE ON FIRST READ

REGULAR AGENDA

TO WAIVE THE PAYMENT PROVISIONS CONTAINED IN THE CITY OF ATLANTA CODE OF ORDINANCES

- 10-O-1860 (1) An Ordinance by Finance/Executive Committee waiving the Payment Provisions contained in the City of Atlanta Code of Ordinances, Article X, Procurement and Real Estate Code to ratify the prior provision of Hardware Maintenance and Support Services by International Business Machines under an expired Agreement for the period beginning July 1, 2010 through November 15, 2010 for an amount not to exceed one hundred seven thousand, seventy-seven dollars and thirty-five cents (\$107,077.35); to authorize the Mayor or his Designee to enter

into an Appropriate Cooperative Purchasing Agreement with International Business Machines utilizing General Services Administration Contract Number GS-35F-4984H for Hardware Maintenance and Support Services beginning November 16, 2010 through June 30, 2011 for seven (7) months an amount not to exceed one hundred forty-nine thousand, nine hundred eight dollars and thirty-four cents (\$149,908.34), with two (2) one-year renewal options beginning July 1, 2011 in, for an annual amount not to exceed two hundred fifty-six thousand, nine hundred eighty-five dollars and sixty-nine cents (\$256,985.69) to be charged to and paid from 1001 (General Fund) 050212 (IT Server Management) 5213001 (Consulting/Professional Services-Technical) 1535000 (Data Processing/Management Information System); and for other purposes.

FAVORABLE ON SUBSTITUTE

Councilmember Smith stated that this is for Oracle's day to day services. Last year we did something similar and we saved \$61,571. Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA

10-O-1892 (2) An Ordinance and **Charter Amendment** by Finance/ Executive Committee to amend the Charter of the City of Atlanta, Georgia, 1996 GA Laws P. 4469, et seq. adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq., as amended, by amending Part 1 (Charter and Related Laws), Subpart A, (Charter), Article III (Executive), Chapter 5 (Civil Service System), Section 3-507 (Modification of Pension Plans), so as to remove superfluous language which conflicts with language contained in certain Pension Plans maintained by the City of Atlanta, and to remove the limitation on benefits applicable to certain Pension Plans maintained by the City of Atlanta; to repeal conflicting Ordinances; and for other purposes.

2ND READING, 2ND ADOPTION

2nd Reading, 2nd Adoption. Senior Assistant City Attorney Andrews responded that the Charter takes out language that is applicable. We are trying to clean up what to do with the money. 3405 says that if you don't ask for your money back we are keeping it is being taking out. Councilmember Shook asked if they apply to the next Pension Papers. Do they have to go to the Actuary. Senior Assistant City Attorney Andrews responded that they have already been through the Pension Boards. We are asking that they be Held until they catch up to the Charter Amendment.

TO AMEND THE CITY OF ATLANTA GENERAL EMPLOYEES' PENSION FUND

10-O-1893 (3) An Ordinance by Finance/Executive Committee to amend the City of Atlanta General Employees' Pension Fund so as to modify certain limitations on benefits pursuant to changes in the U.S. Internal Revenue Code to repeal conflicting Ordinances; and for other purposes.

HELD

TO AMEND THE CITY OF ATLANTA FIREFIGHTER'S PENSION FUND

10-O-1894 (4) An Ordinance by Finance/Executive Committee to amend the City of Atlanta Firefighters' Pension Fund so as to modify certain

limitations on benefits pursuant to changes in the U.S. Internal Revenue Code to repeal conflicting Ordinances; and for other purposes.

HELD

TO AMEND THE CITY OF ATLANTA POLICE OFFICERS' PENSION FUND

- 10-O-1895 (5) An Ordinance by Finance/Executive Committee to amend the City of Atlanta Police Officers' Pension Fund so as to modify certain limitations on benefits pursuant to changes in the U.S. Internal Revenue Code to repeal conflicting Ordinances; and for other purposes.

HELD

A SUPPLEMENTED AND RESTATE AND AMENDED MASTER BOND ORDINANCE OF THE CITY OF ATLANTA

- 10-O-1982 (6) An Ordinance by Councilmembers Yolanda Adrean, Michael Julian Bond and H. Lamar Willis supplementing the Restated and Amended Master Bond Ordinance of the City of Atlanta adopted on March 20, 2000 (99-O-1986), as previously amended and supplemented, to authorize the Issuance by the City of Atlanta of its not to exceed (\$20,000,000 Airport Limited Obligation Bond Anticipation Notes, to provide Funds to finance or refinance, in whole or in part on an interim basis, to provide Funds to pay or reimburse the City for all or a portion of a termination payment in connection with the termination of those certain Interest Rate Exchange Agreements related to the City's Outstanding Airport General Revenue Bonds Series 2003RF-B and the City's Outstanding Airport General Revenue Bonds Series 2003RF-C and pay certain expenses relating thereto; to provide for the form of said Bond Anticipation Notes and for the execution of said Bond Anticipation Notes; providing for the rights of the holders of said Bond Anticipation Notes; to provide for the form of said Bond Anticipation Notes; to provide for the place of payment of the principal of and interest on said Bond Anticipation Notes; approving the forms and authorizing the execution of said Bond Anticipation Notes, a note purchase Agreement, and certain other Agreements in connection with said Bond Anticipation Notes and providing for incidental action; to provide for the repayment of said Bond Anticipation Notes from the proceeds of the not to exceed \$590,000,000 Airport General Revenue Refunding Bonds authorized by the Thirteenth Supplemental Bond Ordinance in Anticipation of which the Bond Anticipation Notes are being issued and for other purposes; designating a Paying Agent and Bond Registrar; providing for severability; authorizing certain officials and employees of the City to take all actions required in connection with the Issuance of said Bond Anticipation Notes; providing certain other details with respect thereto; providing an effective date; and for other related purposes.

HELD

TO ACCEPT A \$39,545.00 GRANT FROM THE GOVERNOR'S OFFICE FOR CHILDREN AND FAMILIES

- 10-O-1983 (7) An Ordinance by Councilmembers Clela Winslow, Alex Wan, Felicia A. Moore, C.T. Martin, Keisha Lance Bottoms, Natalyn Archibong, Joyce M. Sheperd, Michael Julian Bond, Ivory Lee

Young, Jr., Carla Smith and Kwanza Hall **as Substituted by Finance/Executive Committee (1), 11/10/10** authorizing the Mayor on behalf of the City to accept a \$39,545.00 Grant from the Governor's Office for Children and Families, to be utilized for the purchase of recreational supplies and equipment, where such supplies and equipment will be used to benefit Youth Violence Prevention Programs; and amending the 2010 (Intergovernmental Grant Fund) Budget, Department of Parks, Recreation and Cultural Affairs, by adding to Anticipations and Appropriations in the amount of \$39,545.00; and authorizing the expenditure of City Matching Funds in the amount of \$4,388.00 for recreational supplies and equipment from the Account Number indicated below; and for other purposes. **(Finance/Executive Committee Substitute adds FDOA, 11/10/10)**

FAVORABLE ON SUBSTITUTE

Chairperson Adrean stated that we have a Substitute. Councilmember Winslow stated that earlier this year there was a Grant for the Dunbar Center that came through the CDHR Committee. She wants the other monies to go to other Recreational Centers in the City. This is for equipment. Mr. Boozer has identified monies. He does grant writing for City Court and for the City of Atlanta. It will be used for basketball, etc.

Mr. George Dunsenberry: Commissioner of the Department of Parks, Recreation and Cultural Affairs addressed the Committee by stating that it will be for afterschool programs. Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO AUTHORIZE THE PURCHASE OF PERMANENT AND TEMPORARY CONSTRUCTION EASEMENTS

10-O-1985 (8) An Ordinance by Councilmembers H. Lamar Willis and Michael Julian Bond authorizing the purchase of Permanent and Temporary Construction Easements and the necessary rights, of way from various property owners for the completion of the Fairburn Road Bridge and Danforth Road Sidewalk Projects and to authorize the Mayor, or his Designee, to negotiate with affected property owners and to use all means necessary to acquire necessary property interests up to and including condemnation proceedings; to authorize the City Attorney or Designee, to institute condemnation proceedings pursuant to the declaration of taking method authorized by O.C.G.A. Section 32,3-4; to authorize the City Attorney to use the Services of Outside Counsel where necessary to handle condemnation proceedings; and for other purposes.

FAVORABLE

Martin offered a motion to **Approve, 7 Yeas.**

Ms. Madelyn Grant: of the Department of Public Works addressed the Committee by stating that we have two projects. 1st is the Fairburn Road Bridge and 2nd is the Danford Road Sidewalks Project. The legislation allows us to approve right of way and proceed with acquisition.

TO ENTER INTO AN AMENDMENT AGREEMENT NO. 1 WITH MODULAR SPACE CORPORATION

10-R-1968 (1) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Amendment Agreement No. 1 with Modular Space Corporation utilizing the State of Georgia Contract GS-07F-0262M for the lease of four (4) modular trailers on behalf

of the Department of Watershed Management in an amount not to exceed twenty-three thousand five hundred sixty-two dollars and no cents (\$23,562.00); all contracted work will be charged to and paid from Fund, Department Organization and Account Number 5052 (Water & Wastewater Renewal Fund) 170411 (DWM Water System Repair – Peyton) 5223103 (Operating Lease/Rental-Building) 4440000 (Distribution); and for other purposes.

FAVORABLE

Mr. Beard stated that this is for four trailers. The current building is inhabitable. Councilmember Martin offered a motion to **Approve, 7 Yeas**. Councilmember Moore asked if they are attractive. Mr. Beard responded that they are already in place. Councilmember Moore stated that the area needs more appearance. The school is beautiful.

TO ENTER INTO A SOLE SOURCE AGREEMENT WITH OPEN TEXT CORPORATION

10-R-1969 (2) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Sole Source Agreement with Open Text Corporation for the purpose of providing Software and Maintenance Agreement for the Enterprise Content Management System (“ECMS”) in an amount not to exceed two hundred twenty thousand, one hundred six dollars and fifty-three cents (\$220,106.53); all contracted work shall be charged to and paid from Fund Department Organization and Account Number Fund Department Organization and Account Numbers: 5051 (Water and Wastewater Revenue) 170113 (DWM-Information Systems) 5212001 (Consulting/ Professional) 1535000 (Data Processing/Management); and for other purposes.

FAVORABLE

Mr. Smith stated that this is for the Document Management System. This is also a Sole Source. Councilmember Martin offered a motion to **Approve, 7 Yeas**.

TO SUPPORT THE CITY OF ATLANTA’S 2011 LEGISLATIVE PACKAGE

10-R-1970 (3) A Resolution by Finance/Executive Committee urging the 2011 Georgia General Assembly to support the City of Atlanta’s 2011 Legislative Package; and for other purposes.

HELD

Chairperson Adrean stated that we will talk about it at the Retreat.

TO AMEND ARTICLE VII DIVISION II OF CHAPTER II OF THE CODE OF ORDINANCES

10-O-0774 (1) An Ordinance by Councilmembers H. Lamar Willis and Alex Wan to amend Article VII Division II of Chapter II of the Code of Ordinances of the City of Atlanta so as to provide that it shall be unlawful for any City Officer or Employee to knowingly and willfully withhold information, make false or misleading statements or to give untrue testimony before any of its standing Committees; to provide that any Officer or Employee who is found to have violated this Provision shall be dismissed from the employ of the City; and for other purposes. **(Held, 4/28/10)**

HELD

TO AMEND THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA CHAPTER 114 (PERSONNEL)

- 10-O-0788 (2) An Ordinance by Councilmembers Ivory Lee Young, Jr. and Joyce Sheperd to amend the Code of Ordinances, City of Atlanta, Georgia Chapter 114 (Personnel), Article II (Compensation, Payroll Deductions and Charitable Contributions) and Division 1 (Generally), Section 114-28 (Deduction of Labor Organizations Dues from Salaries). **(Held, 4/28/10)**

HELD

TO AMEND CHAPTER 114, ARTICLE IV, DIVISION 12, SECTION 114-379

- 10-O-0874 (3) An Ordinance by Finance/Executive Committee amending Chapter 114, Article IV, Division 12, Section 114-379 of the City of Atlanta Code of Ordinances entitled "Layoff or Reduction In Force" so as to provide for the use of the Veterans Preference authorized by Section 114-207 during the calculation of retention points; and for other purposes. **(Held, 6/2/10)**

HELD

TO AMEND SECTION 6-637 (C) AND 6-637 (D) OF THE 1978 PENSION ACT

- 10-O-0906 (4) An Ordinance by Finance/Executive Committee to amend Section 6-637 (c) and 6-637 (d) of the 1978 Pension Act (Related Laws) of the Code of Ordinances of the City of Atlanta so as to provide New and Non-Vested Members having less than ten (10) years of Creditable Service in the Firefighters Pension Fund, a fifteen (15) year vesting schedule, two percent (2%) Multiplier for all Creditable Years of service, one hundred percent 100% CAP of Average Earnings, to repeal conflicting ordinances; and for other purposes. **(Held, 6/2/10)**

HELD

TO AMEND SECTION 6-222 (C) AND 6-222 (D) OF THE 1978 PENSION ACT

- 10-O-0908 (5) An Ordinance by Finance/Executive Committee to amend Section 6-222 (c) and 6-222 (d) of the 1978 Pension Act (Related Laws) of the Code of Ordinances of the City of Atlanta so as to provide New and Non-Vested Members having less than ten (10) years of Creditable Service in the Police Officers Pension Fund, a fifteen (15) year vesting schedule, two percent (2%) Multiplier for all Creditable Years of service, one hundred percent 100% CAP of Average Earnings, to repeal conflicting ordinances; and for other purposes. **(Held, 6/2/10)**

HELD

TO AMEND SECTION 6-37 (C) AND 6-37 (D) OF THE 1978 PENSION ACT

- 10-O-0910 (6) An Ordinance by Finance/Executive Committee to amend Section 6-37 (c) and 6-37 (d) of the 1978 Pension Act (Related Laws) of the Code of Ordinances of the City of Atlanta so as to provide Members of the General Employees Pension Fund, a fifteen (15) year vesting schedule, two percent (2%) Multiplier for all Creditable Years of service, one hundred percent (100%) CAP of Average Earnings, to repeal conflicting Ordinances; and for other purposes. **(Held, 6/2/10)**

HELD**TO ENTER INTO AN INMATE AGREEMENT**

- 10-R-1153 (7) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor of the City of Atlanta to enter into an Inmate Agreement with the South Fulton Municipal Regional Jail Authority (The "Authority") for the purpose of Housing Persons charged with or sentenced for a violation of the City of Atlanta Code of Ordinances in the facility operated by the Authority; and for other purposes. **(Referred back by Full Council, 7/6/10); (Held, 7/14/10)**

HELD**TO EXECUTE RENEWAL AGREEMENT NO. 1 WITH MSB GOVERNMENT SERVICES**

- 10-R-1663 (8) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Renewal Agreement No. 1 with MSB Government Services, for FC-4678, Financial Collections, on behalf of the Department of Finance, at a compensation rate of 19.8 of the principal amount collected to be charged to and paid from Fund, Department Organization and Account Number 7101 (Agency Fund) 190101 (JDA Municipal Courts Operations) 5212001 (Consulting/Professional Services) 2650000 (Municipal Courts) 202361 (Collection Fee-Accts Recble) 91468 (Agency Fund 9999); 7101 (Agency Fund) 170101 (Commissioner of Watershed Mgt) 5212001 (Consulting/Professional Services); 1320000 (Chief Executive) 202361 (Collection Fee) 91468 (Agency Fund 9999); 7101 (Agency Fund) 190191 (JDA Municipal Court Operations) 5212001 (Consulting/Professional Services) 2650000 (Municipal Courts) 202361 (Collection Fee-Accts Recble) 91468 (Agency Fund 9999), all funds collected will be deposited to Fund, Department Organization and Account Number 1001 (General Fund) 000002 (General Fund Org) 3441102 (Sanitary Service); 1001 (General Fund) 000002 (General Fund Org) 3211002 (General Bus. Licenses); 5051 (Water & Wastewater Revenue Fund) 000002 (General Fund Org) 3442101 (Water Service) 5051 (Water & Wastewater Revenue Fund) 000002 (General Revenue Org) 3442551 (Sewer Services); 505 (Water & Wastewater Revenue Fund) 000002 (General Revenue Org) 3442101 (Water Service) 1001 (General Fund); 000002 (General Revenue Org); 3511717 (Traffic & Parking Fines); and for other purposes. **(Held, 9/15/10)**

HELD**TO CREATE A PARKING PASS PROGRAM**

- 10-O-1733 (9) An Ordinance by Councilmembers Michael Julian Bond, Joyce Sheperd, Aaron Watson, Keisha Lance Bottoms, H. L. Willis, Ivory Lee Young, Jr., C.T. Martin, and Yolanda Adrean authorizing the Mayor or his designee to create a Parking Pass Program for all duly appointed members of City Boards and Commissions; and for other purposes. **(Held, 9/29/10)**

HELD

TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA

- 10-O-1739 (10) An Ordinance by Councilmember Natalyn Mosby Archibong to amend the Charter of the City of Atlanta, Georgia, 1996 Ga Laws P. 4469 et seq. adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq. as amended, by amending Part 1 (Charter and Related Laws), Subpart A, (Charter), Article III (Executive), Chapter 3 Entitled (City Departments), Section 3-305 of the City of Atlanta's Code of Ordinances by adding a new Sub-Paragraph (d); and for other purposes. **(2nd Reading, 1st Adoption, 9/29/10); (3rd Reading, Final Adoption, Substituted as Amended and Held, 10/13/10 by Committee for additional information)**

HELD

TO EXECUTE RENEWAL NUMBER 1 WITH JAKE'S NEWSSTAND, LLC.

- 10-R-1867 (11) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Renewal Number 1 with Jake's Newsstand, LLC, for FC-6007000027, Operation & Management for Newsstand & Concession Services, on behalf of the Executive Offices-Office of Enterprise Assets Management, Jake's Newsstand, LLC, will pay the City a monthly fee of one thousand, three hundred dollars and zero cents (\$1,300.00), to be deposited to 1001 (General Fund), Department 000002 (General Revenue ORG.), Account 3810008 (Building Rental General), Function Activity 000000; and for other purposes. **(Held, 10/27/10)**

FAVORABLE

Ms. Shannon Burton: stated that the memo was addressing Councilmember Willis' questions. In the memo it explains that it was done by a RFP and it was the highest and it is by market rates. Downtown is \$24 per square foot and this is \$28 per square foot. **Approve, 7 Yeas.**

TO CONCERN THE FUTURE OF REGIONAL TRANSIT UNDER THE 2010 TRANSPORTATION INVESTMENT ACT

- 10-R-1869 (12) A Resolution by Atlanta City Council of the City of Atlanta, Georgia concerning the future of Regional Transit under the 2010 Transportation Investment Act. **(Held, 10/27/10)**

HELD

ITEMS NOT ON AGENDA

TO EXECUTE AMENDMENT NUMBER 1

- 10-O-1995 (1) An Ordinance by Finance/Executive Committee authorizing the Mayor to execute Amendment Number 1 to the Memorandums of Understanding between the City of Atlanta and Georgia Solar Energy Association and Georgia Tech Research Institute to increase the dollar amount of the Sub-Grants to each Organization; and for other purposes.

FAVORABLE ON FIRST READ

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 3:30 p.m.

Respectfully submitted,

Stefan Jaskulak for

Joya C. De Foor, CFO
Secretary

Charlene Parker
Recording Secretary

“The Department of Finance... because customer service is important to us.”